

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LISA MARIE ALLEN,

Plaintiff,

v.

TRANS UNION LLC, et al.,

Defendants.

No. C 12-6461 PJH

**ORDER**

The general rule followed in this Circuit is that an amended pleading supercedes the original pleading. See Ferdik v. Bonzelet, 963 F.2d 1258, 1262 (9th Cir. 1992). That is, after amendment, the original pleading no longer performs any function and is treated as non-existent. Id. Although this rule applies to amended pleadings, but not to supplemental pleadings, see Puget Sound Power & Light Co. v. City of Seattle, 5 F.2d 393 (9th Cir. 1925); Schwarzer, Tashima & Wagstaffe, Federal Civil Procedure Before Trial (2012 ed.) § 8:1725, the court prefers that there be a single operative complaint on file. Accordingly, plaintiff is hereby ordered to file a single first amended and supplemental complaint, which combines the allegations of the original complaint and the supplemental complaint. Defendants shall file answers to the amended and supplemental complaint no later than 21 days thereafter.

**IT IS SO ORDERED.**

Dated: May 13, 2013



PHYLLIS J. HAMILTON  
United States District Judge